

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** Chair Chas Vincent, on March 24, 2017 at 3:30 P.M., in Room 303 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Chas Vincent, Chair (R)  
Sen. Jeffrey W. Welborn, Vice Chair (R)  
Sen. Duane Ankney (R)  
Sen. Dick Barrett (D)  
Sen. Jill Cohenour (D)  
Sen. Pat Connell (R)  
Sen. Jennifer Fielder (R)  
Sen. Jedediah Hinkle (R)  
Sen. Mary McNally (D)  
Sen. Mike Phillips (D)  
Sen. JP Pomnichowski (D)  
Sen. Tom Richmond (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Pat Christian, Committee Secretary  
Hope Stockwell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 363, 3/21/2017

Executive Action:

SB 363: Do Pass as Amended  
SB 339: Do Pass  
SB 337: Do Pass

00:01:07 Chair Vincent turned the chair over to Vice Chair Welborn.

**HEARING ON SB 363**

**Opening Statement by Sponsor:**

00:02:03 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 363, Generally revise aquatic invasive species.

**Proponents' Testimony:**

00:07:37 Martha Williams, director, Department of Fish, Wildlife, and Parks (FWP)

[EXHIBIT\(nas61a01\)](#)

[EXHIBIT\(nas61a02\)](#)

[EXHIBIT\(nas61a03\)](#)

00:13:35 John Tubbs, director, Department of Natural Resources and Conservation (DNRC)

00:16:32 Mark Aagenes, The Nature Conservancy

00:18:57 Shantil Siaperas, Montana Association of Counties

00:19:30 Kim Mangold, deputy director, Montana Department of Agriculture

00:20:00 Colin Cooney, Montana Trout Unlimited

00:21:03 Robin Cunningham, Fishing Outfitters Association of Montana

00:22:00 Jeff Barber, Clark Fork Coalition and Montana Audubon

**Opponents' Testimony:**

00:22:51 Travis Kavulla, commissioner, Public Service Commission (PSC)

00:29:11 Doug Hardy, Montana Electric Cooperatives Association (MECA)

00:31:14 Mike Murphy, Montana Water Resources Association (MWRA)

00:33:49 Chelcie Cargill, Montana Farm Bureau Federation, Senior Water Rights Coalition, and Association of Gallatin Agricultural Irrigators

[EXHIBIT\(nas61a04\)](#)

[EXHIBIT\(nas61a05\)](#)

00:38:41 Jay Bodner, Montana Stockgrowers Association

00:40:51 Matt Graveley, Rocky Mountain Stockgrowers Association

00:42:30 David Hoffman, NorthWestern Energy (NWE)

**Informational Testimony:**

00:44:45 Lee Baerlocher, Montana Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

00:45:16 Sen. Phillips

00:46:00 Sen. Vincent

00:46:10 Sen. Phillips

00:46:30 Mr. Kavulla, PSC

# SENATE COMMITTEE ON NATURAL RESOURCES

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00:46:41	Sen. Phillips
00:47:08	Ms. Williams, FWP
00:47:18	Sen. Phillips
00:47:46	Sen. Barrett
00:48:31	Mr. Kavulla
00:49:48	Sen. Barrett
00:50:09	Mr. Kavulla
00:50:54	Sen. Barrett
00:51:41	Mr. Hardy, MECA
00:53:13	Sen. Barrett
00:53:26	Mr. Hardy
00:54:07	Sen. Connell
00:54:56	Mr. Hoffman, NWE
00:55:12	Sen. Connell
00:55:26	Mr. Hoffman
00:55:36	Sen. Connell
00:55:49	Mr. Hoffman
00:56:06	Sen. Fielder
00:56:51	Eileen Ryce, Fisheries administrator, Department of Fish, Wildlife, and Parks (FWP)
00:57:24	Sen. Fielder
00:57:45	Ms. Ryce, FWP
00:58:00	Sen. Fielder
00:58:21	Sen. Vincent
00:59:19	Sen. Fielder
00:59:21	Sen. Vincent
00:59:31	Sen. Fielder
00:59:47	Sen. Vincent
00:59:54	Sen. Fielder
00:59:58	Sen. Vincent
01:00:05	Sen. Fielder
01:00:26	Sen. Vincent
01:00:57	Sen. Fielder
01:01:11	Sen. Vincent
01:01:54	Sen. Fielder
01:02:26	Sen. Vincent
01:03:47	Sen. Pomnichowski
01:04:31	Ms. Williams
01:05:18	Sen. Pomnichowski
01:05:39	Ms. Williams
01:06:36	Sen. Pomnichowski
01:07:10	Ms. Williams
01:07:35	Sen. Pomnichowski
01:08:08	Ms. Williams
01:09:10	Sen. Pomnichowski
01:09:38	Ms. Williams
01:10:22	Mr. Tubbs, DNRC
01:11:50	Sen. Pomnichowski
01:11:55	Mr. Tubbs
01:12:09	Sen. Hinkle

01:13:44 Ms. Williams  
01:14:37 Sen. Hinkle  
01:14:57 Ms. Williams  
01:15:31 Sen. Hinkle  
01:15:51 Mr. Kavulla  
01:17:44 Sen. Hinkle  
01:18:00 Sen. Vincent  
01:19:00 Sen. Hinkle  
01:19:22 Sen. Vincent  
01:20:27 Sen. Ankney  
01:21:19 Mr. Baerlocher, DOR  
01:22:08 Sen. Ankney  
01:22:18 Mr. Baerlocher  
01:23:07 Sen. Ankney  
01:23:30 Mr. Baerlocher  
01:23:41 Sen. Ankney  
01:24:22 Mr. Murphy, MWRA  
01:24:35 Sen. Barrett  
01:25:02 Ms. Williams  
01:25:28 Sen. Barrett  
01:25:36 Ms. Williams  
01:26:17 Ms. Ryce

**Closing by Sponsor:**

01:27:46 Sen. Vincent  
01:31:42 Chair Vincent resumed as the chair.

**Committee Business**

01:31:50 Chair Vincent  
01:32:46 Sen. Hinkle  
01:32:55 Chair Vincent  
01:33:25 Sen. Hinkle  
01:33:39 Chair Vincent  
01:34:00 Sen. Phillips  
01:34:28 Chair Vincent  
01:35:01 Sen. Ankney  
01:35:08 Chair Vincent  
01:35:14 Sen. Ankney  
01:35:20 Chair Vincent  
01:35:23 Sen. Ankney  
01:35:39 Chair Vincent  
01:36:14 Sen. Phillips  
01:36:36 Sen. Ankney  
01:37:18 Sen. Barrett  
01:38:16 Chair Vincent  
01:38:43 Sen. Pomnichowski  
01:39:16 Sen. Ankney

01:39:39 Sen. Pomnichowski  
 01:40:07 Sen. McNally  
 01:40:49 Sen. Phillips  
 01:41:27 Sen. Cohenour  
 01:41:57 Sen. Hinkle  
 01:42:08 Chair Vincent  
 01:43:19 Sen. Ankney  
 01:44:00 Sen. Fielder  
 01:44:26 Chair Vincent

**EXECUTIVE ACTION ON SB 363**

01:44:35 **Motion:** Sen. Vincent moved that **SB 363 DO PASS.**

01:45:05 **Motion:** Sen. Vincent moved that **SB 363 BE AMENDED.**  
[EXHIBIT\(nas61a06\)](#)

**Discussion:**

01:45:19 Hope Stockwell, Legislative Services Division (LSD)  
 01:46:18 Chair Vincent

01:46:23 **Vote:** Motion carried unanimously by voice vote.

01:46:32 **Motion:** Sen. Vincent moved that **SB 363 DO PASS AS AMENDED.**

01:47:12 **Motion:** Sen. Vincent moved that **SB 363 BE AMENDED.**  
[EXHIBIT\(nas61a07\)](#)

**Discussion:**

01:48:08 Chair Vincent  
 01:48:10 Sen. Hinkle  
 01:47:13 Ms. Stockwell, LSD

01:48:34 **Vote:** Motion carried 7-5 by roll call vote with Sen. Ankney, Sen. Connell, Sen. Fielder, Sen. Richmond and Sen. Welborn voting no.

01:50:03 **Motion:** Sen. Vincent moved that **SB 363 DO PASS AS AMENDED.**

**Motion:** Sen. Vincent moved that **SB 363 BE AMENDED.**  
[EXHIBIT\(nas61a08\)](#)

**Discussion:**

01:50:18 Ms. Stockwell  
 01:51:20 Chair Vincent  
 01:51:50 Sen. Cohenour  
 01:52:05 Chair Vincent  
 01:52:26 Sen. Hinkle

01:52:47 Chair Vincent  
 01:52:56 Sen. Barrett  
 01:53:33 Chair Vincent  
 01:53:49 Sen. Barrett  
 01:54:06 Sen. Pomnichowski  
 01:54:20 Ms. Stockwell  
 01:54:36 Sen. Connell  
 01:54:57 Ms. Stockwell  
 01:55:04 Sen. Connell  
 01:56:12 Chair Vincent  
 01:56:25 Sen. Cohenour  
 01:56:51 Sen. Connell  
 01:57:32 Chair Vincent  
 01:57:38 Sen. Connell

01:57:55 **Vote:** Motion carried 9-3 by roll call vote with Sen. Connell, Sen. Fielder and Sen. Richmond voting no.

01:59:06 **Motion:** Sen. Vincent moved that **SB 363 DO PASS AS AMENDED.**

**Motion:** Sen. Vincent moved that **SB 363 BE AMENDED.**

**EXHIBIT**(nas61a09)

**Discussion:**

01:59:17 Ms. Stockwell  
 02:00:09 Sen. Barrett  
 02:0140 Chair Vincent  
 02:01:46 Sen. Barrett  
 02:01:58 Chair Vincent  
 02:02:47 Sen. Ankney  
 02:03:49 Chair Vincent  
 02:04:21 Sen. Cohenour  
 02:04:55 Sen. Fielder  
 02:05:37 Sen. Barrett  
 02:06:03 Chair Vincent  
 02:06:32 Sen. Barrett  
 02:06:43 Chair Vincent  
 02:07:06 Sen. Barrett

02:08:27 **Vote:** Motion failed 5-7 by roll call vote with Sen. Fielder, Sen. Hinkle, Sen. McNally, Sen. Vincent and Sen. Welborn voting aye.

02:08:37 **Vote:** Motion carried 8-4 by roll call vote with Sen. Fielder, Sen. Hinkle, Sen. Richmond and Sen. Welborn voting no.

02:09:29 Sen. McNally  
 02:09:48 Chair Vincent

**EXECUTIVE ACTION ON SB 339**

02:10:48     **Motion:** Sen. Ankney moved that **SB 339 DO PASS.**

**Discussion:**

02:11:25     Sen. Cohenour

02:11:35     **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 337**

02:11:49     **Motion:** Sen. Ankney moved that **SB 337 DO PASS.**

**Discussion:**

02:12:46     Sen. Cohenour

02:14:24     Sen. Barrett

02:15:42     Sen. Ankney

02:16:57     Chair Vincent

02:17:59     **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McNally, Sen. Phillips and Sen. Pomnichowski voting no.

02:18:56     Chair Vincent

**ADJOURNMENT**

Adjournment: 6:07 PM

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Pat Christian, Secretary

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Additional Documents:

**EXHIBIT**([nas61aad.pdf](#))